

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

07 Cr. 543 (KMK)

YEHEZKEL ELIA and  
DAVID ELYAHO

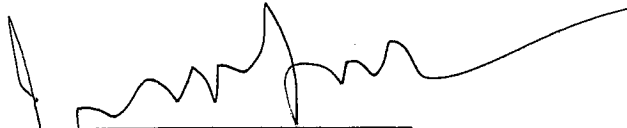
**NOTICE OF MOTION**

Defendants.  
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PLEASE TAKE NOTICE that, upon the attached Declaration of Jared J. Scharf, the exhibits annexed thereto, and the accompanying memorandum of law, the undersigned will move this Court, before the Honorable Kenneth M. Karas, United States District Judge for the Southern District of New York, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, on a date to be determined by the Court, for an Order excluding certain evidence and arguments the government may intend to offer at trial and for such other relief as this Court deems proper.

This motion is made pursuant to Rules 401, 402, 403, 404(b), 608 and 801 Federal Rules of Evidence.

Dated: White Plains, New York  
May 23, 2008

  
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